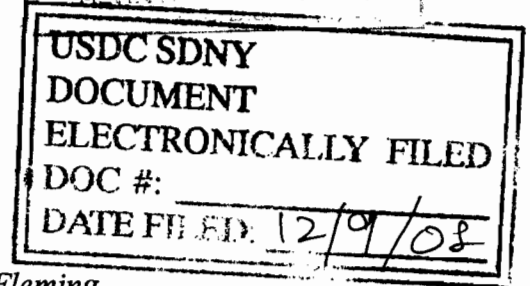


**MEMORANDUM**

TO: HONORABLE ALVIN K. HELLERSTEIN  
UNITED STATES DISTRICT JUDGE

FROM: CLAY SMITH  
UNITED STATES PRETRIAL SERVICES OFFICER



RE: Cedric Fleming  
Docket: #08 CR 0317

*The attached memorandum was prepared by Pretrial Services Officer*

<u>Clay Smith</u>	<u>805-4107</u>
Name	Phone Number

*will present Your Honor significant details about the bail Conditions which were imposed on the above cited defendant.*

*We are requesting direction from the Court. Please initial the appropriate box(es) and return this form to us so that we may comply with your instructions.*

AKH ✓

*I have reviewed the information that you have supplied. I do not believe that this matter requires any action by the Court at this time.*

☐ Please inform all parties concerned that I will conduct a bail Review Hearing in Courtroom# \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_.  
Date Time

*I request that a Bail Review Hearing be conducted by:*

☐ The presiding Magistrate Judge in courtroom #5A.

☐ The District Court Judge presiding in Part I.

[Signature]  
Judicial Officer

12/9/08

## ***BAIL VIOLATION REPORT***

**TO:** **HONORABLE ALVIN K. HELLERSTEIN**  
**UNITED STATES DISTRICT JUDGE**

**FROM:** **CLAY SMITH**  
**UNITED STATES PRETRIAL SERVICES OFFICER**

**RE:** **CEDRIC FLEMING**  
**08-CR-00317-1**

**DATE:** **DECEMBER 2, 2008**

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*On March 19, 2008, the above captioned defendant was arrested by the New York Police Department for violation of Title 18 USC Section 922(g)(i), (Felon in Possession of a Firearm) and was held overnight. On March 20, 2008, he made a bail appearance before the Honorable Henry B. Pitman and was released on a \$50,000 unsecured bond; cosigned by the defendant's sister, Leticia Blount and one other financially responsible person; strict PSA supervision with drug testing and treatment; surrender of all travel documents and no new applications; and travel restricted to the Southern and Eastern Districts of New York. On April 14, 2008, the defendant appeared for an arraignment hearing before the Honorable Debra C. Freeman and entered a not guilty plea to the charge, his bail was continued.*

*On March 31, 2008, this officer received notification that the defendant was arrested on March 29, 2008, in the Bronx County and was charged with Criminal Possession of a Controlled Substance 3<sup>rd</sup> Degree: Narcotic Drug with Intent to Sell, Criminal Possession of a Weapon 4<sup>th</sup> Degree: Firearm/Weapon and Unlawful Possession of Marijuana.*

*On April 9, 2008, the defendant appeared before Your Honor for a bail modification hearing. On that date the defendant's bail was modified to include home detention, enforced by electronic monitoring and daily telephonic contact with U.S. Pretrial Services.*

*On June 13, 2008, in Bronx County Supreme Court, the defendant's case was adjourned in contemplation of dismissal.*

*On July 30, 2008, the defendant's bail conditions of home detention enforced by electronic monitoring and daily telephonic contact with U.S. Pretrial Services was removed and his original bail conditions were restored.*

*On October 2, 2008, the defendant was found guilty before a bench trial for violation of Title 18 USC 922(g)(i), Felon in Possession of a Firearm. Sentencing has been set for January 25, 2009.*

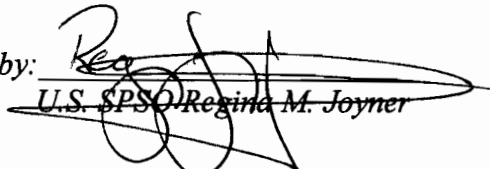
*On November 10, 2008, the defendant reported to U.S. Pretrial Services for his random drug urinalysis which tested positive for THC.*

*On November 17, 2008, the defendant reported to U.S. Pretrial Services as directed and informed this officer that he was notified by the ASPCA that he was being charged for a neglect related offense of his pet dog, and was directed to self-surrender to the 44<sup>th</sup> Precinct on November 20, 2008. On that date the defendant self-surrendered to the 44<sup>th</sup> Precinct where he was arrested and charged with General Violation Agricultural and Market Law (Misdemeanor). He appeared in the Bronx County Criminal Court and bail was set at \$1,000 cash and \$2,000 bond, his case was adjourned to November 26, 2008. The defendant was not able to make bail and was detained. Assistant U.S. Attorney Natalie Lamarque, Esq. and defense counsel Mark Gombiner were both notified regarding defendant's arrest.*

*On November 26, 2008, the defendant appeared in the Bronx County Supreme Court and his case was adjourned to January 26, 2009. He continues to remain in state custody pending the posting of his bail.*

*This information is being brought to the attention of Your Honor for whatever action deemed necessary by the court.*

Reviewed by:

  
U.S. SPSO Regina M. Joyner

Respectfully submitted by:

Mike Fitzpatrick, Chief  
Pretrial Services Officer



Clay Smith  
U.S. Pretrial Services Officer

cc:

Natalie Lamarque, Esq.  
Assistant U.S. Attorney

Mark Gombiner, Esq.  
Defense Attorney